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**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)
RSCT.P002

In re Application of: Steven A. Daniel et al.

Application No.: 10/800,451

Filed: March 15, 2004

For: Thermal Coagulation of Tissue During Tissue Resection

The owner, Resect Medical, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 7,008,421 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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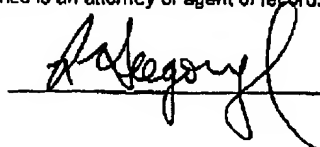
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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 42,607



Signature

March 16, 2007
DateRichard L. Gregory, Jr.
Typed or printed name(408) 342-1900
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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